

REMARKS

Claims 1-49 are pending in this application.

Claims 2, 5, 7, 8, 10, 11, 13, 16, 18, 19, 21, 22, 24, 28, 29, 31 and 32 remain as originally patented in U.S. Patent No. 6,158,201 without any amendment.

Claims 1, 3, 4, 6, 9, 12, 14, 15, 17, 20, 23, 25, 26, 27 and 30 have been amended (claims 9, 20, 25 and 30 have merely been placed in independent form), and claims 33-49 are newly added.

Also submitted herewith is an Information Disclosure Statement in accordance with applicants' duty of candor. The IDS identifies materials that were not cited during prosecution of the original patent.

It is respectfully submitted that the claims contained in the reissue application as amended define patentably over all of the art of record, including that identified in the herewith submitted IDS.

Forwarding of formal Notice of Allowance of this application is respectfully requested. Any additional fee which might be due in connection with this application should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

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By


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ATTORNEYS FOR APPLICANT(S)

(Docket No. 26681-RE1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:) Docket No. 26681-RE1
PRUITT, Martin E., et al.) Group Art
Reissue of Patent No. 6,158,201)
Issued: December 12, 2000)
ROTARY MOWER CONDITIONER)
HAVING IMPROVED CUT CROP FLOW)

Mail Stop Reissue
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF STATUS AND SUPPORT FOR CHANGES TO CLAIMS
UNDER 37 CFR § 1.173(c)

Following is a statement of the status of the claims in the instant reissue application and support for changes made therein:

Claims 1-49 are pending in the application.

Claims 2, 5, 7, 8, 10, 11, 13, 16, 18, 19, 21, 22, 24, 28, 29, 31 and 32 remain as originally patented in U.S. Patent No. 6,158,201 without any amendment.

Claims 1, 3, 4, 6, 9, 12, 14, 15, 17, 20, 23, 25, 26, 27, and 30 have been amended (claims 9, 20, 25, and 30 have merely been placed in independent form), and claims 33-49 are newly added.

The following sets forth exemplary support for the claim changes, with reference to the column and line number from Patent No. 6,158,201 (support for all claim preambles may be found in the original claims and will not be repeated herein):

<i>Changes</i>	<i>Support</i>
Claim 1:	
<u>said conveying element comprising a laterally extending, rotatable conveying roller having an outer periphery defining the upwardly and rearwardly moveable portion of the conveying element</u>	col. 8, ll. 48-51; col. 9, ll. 9-12; col. 9, ll. 22-35
<u>said conveying roller being rotatable about a conveying roller axis</u>	col. 9, ll. 9-12
<u>said cutting zone being substantially planar and generally vertically aligned with the conveying roller axis</u>	Figs. 6,7; col. 4, ll. 50-53; col. 9, ll. 29-32
Claim 3:	
each of said crop conveying assemblies including a plurality of laterally spaced, [impeller cages] <u>generally cylindrical impeller devices</u> rotatable about individual, upright axes	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
each of said impeller [cages] <u>devices</u> presenting a front moveable boundary that is spaced forwardly of the adjacent inwardly spaced impeller [cage] <u>device</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 4:	
said plurality of impeller [cages] <u>devices</u> including a first impeller [cage] <u>device</u> mounted to the first cutter for rotational movement therewith, a second impeller [cage] <u>device</u> mounted to the second cutter for rotational movement therewith, and an intermediate impeller [cage] <u>device</u> suspended from the header framework between the first and second impeller [cages] <u>devices</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15

Claim 6:	
<u>further comprising header framework defining a laterally extending discharge opening spaced rearwardly from the cutting zone, with the opening being configured to receive cut crop from the series of cutters.</u>	Figs. 2-7; col. 3, ll. 48-53
<u>said cutting assembly projecting beyond the ends of the discharge opening to present a pair of outboard cutter sections.</u>	col. 4, ll. 54-57
<u>said conditioning rolls and said conveying roller being shorter than said cutting assembly and disposed within and spanning across said discharge opening,</u>	Figs. 2-7; col. 4, ll. 54-57; col. 8, ll. 48-51; col. 9, ll. 22-29; col. 7, ll. 59-62
<u>said conditioning rolls being in a stacked relationship to present an upper conditioning roll and a lower conditioning roll,</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12
<u>said lower conditioning roll being rotatable about a lower conditioning roll axis,</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12
<u>said conveying roller being relatively smaller in diameter than the conditioning rolls and said conveying roller axis being lower than the lower conditioning roll axis</u>	Figs. 6, 7; col. 9, ll. 29-32; col. 9, ll. 22-24
Claim 9:	
changed to appear in independent form	claims 1, 6 and 9

Claim 12:	
a driveable crop conveying element having at least a portion thereof that moves upwardly and rearwardly between the cutting [Zone] <u>zone</u> and the nip to convey crop cut by the cutting assembly toward the nip when the element is driven,	correct a typographical error
<u>said conveying element comprising a laterally extending, rotatable conveying roller having an outer periphery defining the upwardly and rearwardly moveable portion of the conveying element.</u>	col. 8, ll. 48-51; col. 9, ll. 9-12; col. 9, ll. 22-35
<u>said conveying roller being rotatable about a conveying roller axis.</u>	col. 9, ll. 9-12
<u>said cutting zone being substantially planar and generally vertically aligned with the conveying roller axis</u>	Figs. 6,7; col. 4, ll. 50-53; col. 9, ll. 29-32
Claim 14:	
each of said crop conveying assemblies including a plurality of laterally spaced, [impeller cages] <u>generally cylindrical impeller devices</u> rotatable about individual, upright axes,	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
each of said impeller [cages] <u>devices</u> presenting a front moveable boundary that is spaced forwardly of the adjacent inwardly spaced impeller [cage] <u>device</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15

Claim 15:	
said plurality of [impeller cages] <u>impeller devices</u> including a first impeller [cage] <u>device</u> mounted to the first cutter for rotational movement therewith, a second impeller [cage] <u>device</u> mounted to the second cutter for rotational movement therewith, and an intermediate impeller [cage] <u>device</u> suspended from the framework between the first and second impeller [cages] <u>devices</u> .	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 17:	
<u>further comprising framework defining a laterally extending discharge opening spaced rearwardly from the cutting zone, with the opening being configured to receive cut crop from the series of cutters.</u>	Figs. 2-7; col. 3, ll. 48-53
<u>said cutting assembly projecting beyond the ends of the discharge opening to present a pair of outboard cutter sections.</u>	col. 4, ll. 54-57
<u>said conditioning rolls and said conveying roller being shorter than said cutting assembly and disposed within and spanning across said discharge opening.</u>	Figs. 2-7; col. 4, ll. 54-57; col. 8, ll. 48-51; col. 9, ll. 22-29; col. 7, ll. 59-62
<u>said conditioning rolls being in a stacked relationship to present an upper conditioning roll and a lower conditioning roll,</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12
<u>said lower conditioning roll being rotatable about a lower conditioning roll axis,</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12

<u>said conveying roller being relatively smaller in diameter than the conditioning rolls and said conveying roller axis being lower than the lower conditioning roll axis.</u>	Figs. 6, 7; col. 9, ll. 29-32; col. 9, ll. 22-24
Claim 20:	
changed to appear in independent form	Claims 12, 17 and 20
Claim 23:	
<u>said conveying roller being rotatable about a conveying roller axis,</u>	col. 9, ll. 9-12
<u>said cutting zone being substantially planar and generally vertically aligned with the conveying roller axis.</u>	Figs. 6,7; col. 4, ll. 50-53; col. 9, ll. 29-32
Claim 25:	
changed to appear in independent form	Claims 23 and 25
Claim 26:	
each of said crop conveying assemblies including a plurality of laterally spaced, [impeller cages] <u>generally cylindrical impeller devices</u> rotatable about individual, upright axes,	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
each of said impeller [cages] <u>devices</u> presenting a front moveable boundary that is spaced forwardly of the adjacent inwardly spaced impeller [cage] <u>device</u> .	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15

Claim 27:	
said plurality of impeller [cages] <u>devices</u> including a first impeller [cage] <u>device</u> mounted to the first cutter for rotational movement therewith, a second impeller [cage] <u>device</u> mounted to the second cutter for rotational movement therewith, and an intermediate impeller [cage] <u>device</u> suspended from the framework between the first and second impeller [cages] <u>devices</u> .	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 30:	
changed to appear in independent form	claims 23 and 30
Claim 33:	
<u>said cutter bed projecting laterally outwardly beyond opposite ends of the discharge opening to present two sets of outboard cutters at opposite ends of the cutter bed that are disposed substantially outboard of the discharge opening; and</u>	col. 4, ll. 54-57
<u>a pair of crop conveying assemblies at opposite ends of the cutter bed for assisting in directing crop severed by the outboard cutters laterally inwardly generally toward the discharge opening.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
<u>each of said crop conveying assemblies comprising a plurality of laterally spaced, generally cylindrical impeller devices disposed higher than the outboard cutters and rotatable inwardly about individual, upright axes.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15

Claim 34:	
<u>each plurality of impeller devices including an outer impeller device having a front inwardly movable boundary</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
<u>the inwardly movable boundary of each outer impeller device being spaced forwardly of the inwardly movable boundary of the corresponding inner impeller device.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 35:	
<u>each plurality of impeller devices further including an intermediate impeller device disposed generally between said outer impeller device and said inner impeller device,</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
<u>each intermediate impeller device having a front inwardly movable boundary,</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
<u>the inwardly movable boundary of each outer impeller device being spaced forwardly of the inwardly movable boundary of the corresponding intermediate impeller device.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 36:	
<u>each set of outboard cutters including an outer cutter and an inner cutter,</u>	col. 4, ll. 54-57
<u>said plurality of impeller devices including an outer impeller device rotatable about the same axis of rotation as the corresponding outer cutter and an inner impeller device rotatable about the same axis of rotation as the corresponding inner cutter.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15

Claim 37:	
<u>each of said impeller devices comprising a cage having a plurality of circumferentially spaced uprights.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 38:	
<u>said conveying roller and said conditioning rolls being shorter than the cutter bed and being disposed within said discharge opening in spanning relationship thereto.</u>	Figs. 2-7; col. 4, ll. 54-57; col. 8, ll. 48-51; col. 9, ll. 22-29; col. 7, ll. 59-62
Claim 39:	
<u>said conditioning rolls being in a stacked relationship to present an upper conditioning roll and a lower conditioning roll.</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12
<u>said lower conditioning roll having an axis of rotation,</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12
<u>said conveying roller having an axis of rotation disposed lower than the axis of rotation of the lower conditioning roll.</u>	Figs. 6, 7; col. 9, ll. 29-32; col. 9, ll. 22-24
Claim 40:	
a mobile frame; and	col. 3, ll. 1-4
<u>a harvesting header supported on the frame for harvesting crop as the frame moves across a field,</u>	col. 3, ll. 9-10
<u>said header including a cutter bed extending across the path of travel of the frame and including a series of rotary cutters rotatable about individual, upright axes,</u>	col. 3, ll. 66, 67; col. 4, ll. 1-6

<u>header framework defining a laterally extending discharge opening spaced rearwardly from the cutter bed, with the opening being configured to receive cut crop from the series of cutters,</u>	Figs. 2-7; col. 3, ll. 48-53
<u>a pair of crop conditioning rolls spanning the discharge opening and defining a nip therebetween that is spaced upwardly and rearwardly from the cutter bed, and</u>	Figs. 2-7; col. 4, ll. 54-57; col. 8, ll. 48-51; col. 9, ll. 22-29; col. 7, ll. 59-62
<u>a laterally extending crop conveying roller located between the cutter bed and the nip,</u>	col. 8, ll. 48-51; col. 9, ll. 9-12; col. 9, ll. 22-35
<u>said conveying roller being rotatable in a direction to move crop from the cutter bed toward the nip,</u>	col. 8, ll. 48-51; col. 9, ll. 9-12; col. 9, ll. 22-35
<u>said conveying roller being disposed within said discharge opening and spanning the same.</u>	Figs. 2-7; col. 4, ll. 54-57; col. 8, ll. 48-51; col. 9, ll. 22-29; col. 7, ll. 59-62
Claim 41:	
<u>said conveying roller having a relatively smaller diameter than the conditioning rolls.</u>	Figs. 6, 7; col. 9, ll. 29-32; col. 9, ll. 22-24
Claim 42:	
<u>said conditioning rolls being in a stacked relationship to present an upper conditioning roll and a lower conditioning roll,</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12
<u>said lower conditioning roll being rotatable about a lower conditioning roll axis,</u>	Figs. 6,7; col. 7, ll. 66-67; col. 8, ll. 1-12
<u>said conveying roller being rotatable about a conveying roller axis that is lower than the lower conditioning roll axis</u>	Figs. 6, 7; col. 9, ll. 29-32; col. 9, ll. 22-24

Claim 43:	
<u>said cutter bed defining a substantially planar cutting zone.</u>	Figs. 6,7; col. 4, ll. 50-53; col. 9, ll. 29-32
<u>said conveying roller axis being generally vertically aligned with the cutting zone.</u>	Figs. 6,7; col. 4, ll. 50-53; col. 9, ll. 29-32
Claim 44:	
<u>said cutter bed projecting laterally outwardly beyond opposite ends of the discharge opening to present two sets of outboard cutters at opposite ends of the cutter bed that are disposed substantially outboard of the discharge opening.</u>	Figs. 2-7; col. 3, ll. 48-53
Claim 45:	
<u>further comprising a pair of crop conveying assemblies at opposite ends of the cutter bed for assisting in directing crop severed by the outboard cutters laterally inwardly generally toward the discharge opening.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
<u>each of said crop conveying assemblies comprising a plurality of laterally spaced, generally cylindrical impeller devices disposed higher than the outboard cutters and rotatable inwardly about individual, upright axes.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 46:	
<u>each plurality of impeller devices including an outer impeller device having a front inwardly movable boundary and an inner impeller device having a front inwardly movable boundary.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15

<u>the inwardly movable boundary of each outer impeller device being spaced forwardly of the inwardly movable boundary of the corresponding inner impeller device.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 47:	
<u>each plurality of impeller devices further including an intermediate impeller device disposed generally between said outer impeller device and said inner impeller device.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
<u>each intermediate impeller device having a front inwardly movable boundary,</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
<u>the inwardly movable boundary of each outer impeller device being spaced forwardly of the inwardly movable boundary of the corresponding intermediate impeller device.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 48:	
<u>each set of outboard cutters including an outer cutter and an inner cutter,</u>	col. 4, ll. 54-57
<u>said plurality of impeller devices including an outer impeller device rotatable about the same axis of rotation as the corresponding outer cutter and an inner impeller device rotatable about the same axis of rotation as the corresponding inner cutter.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15
Claim 49:	
<u>each of said impeller devices comprising a cage having a plurality of circumferentially spaced uprights.</u>	Figs. 4A, 4B, 5A, 5B; col. 5, ll. 15-25, ll. 40-46, 60-67; col. 6, ll. 1-15

The amendments to the claims are explained in further detail in the accompanying Reissue Preliminary Amendment filed herewith.

Any fee which is due in connection with this Statement of Status and Support for claims should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

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